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PATENT CASE: OC01128K

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: Houghton, et al
For Patent: **COMBINATION THERAPY
FOR CANCER**
Serial No.: 09/768,445
Filed: January 24, 2001
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: Examiner: (to be assigned)
: Group Art Unit: (to be assigned)
:

Schering-Plough Corporation
Kenilworth, New Jersey 07033

Assistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. § 1.56, Applicant hereby discloses the following information for consideration by the Examiner:

Foreign Patent Documents

1. WO 97 07804 A

Other Documents

2. Kano, Y, et al., "Effects of CPT-11 in Combination with Other Anti-Cancer Agents in Culture" INTERNATIONAL JOURNAL OF CANCER, US, New York, NY vol. 50, no. 4, 20 February 1992 (1992-02-20), pages 604-610, XP000563779 ISSN: 0020-7136, Page 606, left-hand column, line 21 – page 609, right-hand column.
3. Eder, JP et al., "Sequence effect of irinotecan (CPT-11) and topoisomerase II inhibitors in vivo" CANCER CHEMOTHERAPY AND PHARMACOLOGY, DE, Springer Verlag, Berlin, vol 42,

no. 4, 1998, pages 327-335, XP00211007, ISSN: 0344-5704, Abstract.

4. Plowman, J. et al., "Preclinical Antitumor Activity of Temozolomide in Mice: Efficacy Against Human Brain Tumor Xenografts and Synergism with 1,3-Bis (2-Chloroethyl)-1-Nitrosurea" Cancer Research, US, American Association for Cancer Research, Baltimore MD, vol. 54, no. 14, 1994, pages 3793-3799, XP000914803 ISSN: 0008-5472, page 3795, right-hand column, line 21 – page 3798, right-hand column, line 4.
5. Newlands, E.S. et al., "Temozolomide: A Review of Its Discovery, Chemical Properties, Pre-Clinical Development and Clinical Trials" CANCER TREATMENT REVIEWS, US, Saunders, vol. 23, no. 1, 1997, pages 35-61, XP000921344, ISSN: 0305-7372, page 46, line 20 – page 48, line 19.
6. Vikas J. Patel, et al., "Schedule-dependent Activity of Temozolomide plus CPT-11 against a Human Central Nervous System Tumor-derived Xenograft", CLINICAL CANCER RESEARCH, Vol. 6, (2000), Pages 4154-4157.
7. Peter J. Houghton, et al., "Antitumor Activity of Temozolomide Combined with Irinotecan Is Partly Independent of O⁶-Methylguanine-DNA Methyltransferase And Mismatch Repair Phenotypes in Xenograft Models¹", CLINICAL CANCER RESEARCH, Vol. 6, (2000), Pages 4110-4118.

Copies of these documents and a PTO-1449 Form are enclosed. The Examiner is kindly requested to initial and return the PTO-1449 Form to evidence consideration of these references.

Some of the above references were cited in the international counterpart to the above-identified case in a PCT International Search Report mailed on May 5, 2001. A copy of the Search Report is also enclosed.

As per 37 CFR 1.97, because the IDS is being filed prior to the mailing of a first office action on the merits, applicants respectfully request consideration of the IDS by the Examiner.



Respectfully submitted,

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I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
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William Lee 6/22/01
 (SIGNATURE AND DATE)



FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use several sheets if necessary)</i>		ATTY. DOCKET NO.: OC01128K APPLICANT: Houghton, et al. FILING DATE: January 24, 2001	SERIAL NO.: 09/768,445 GROUP:			
U.S. PATENT DOCUMENTS						
*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	AA					
	AB					
	AC					
	AD					
	AE					
	AF					
	AG					
	AH					
	AI					
	AJ					
	AK					
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
	AL	WO 97 07804 A				
	AM					
	AN					
	AO					
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
	AP	Kano, Y., et al., "Effects of CPT-11 in Combination with Other Anti-Cancer Agents in Culture" February 2, 1992, International Journal of Cancer, Vol. 50, No. 4, pgs. 604-610				
	AQ	Eder, JP et al., "Sequence effect of irinotecan (CPT-11) and topoisomerase II inhibitors in vivo", 1998, Cancer Chemother. Pharmacol., Vol. 42, No. 4, pgs. 327-335				
	AR	Plowman, J., et al., "Preclinical Antitumor Activity of Temozolomide in Mice: Efficacy Against Human Brain Tumor Xenografts and Synergism with 1,3-Bis (2-Chloroethyl)-1- Nitrosurea", 1994, Cancer Research, Vol. 54, No. 14, pgs. 3793-3799				
	AS	Newlands, E.S., et al., "Temozolomide: A review of its Discovery, Chemical Properties, Pre-Clinical Development and Clinical Trials", 1997, Cancer Treatment Reviews, Vol. 23, No. 1, pgs. 35-61				
	AT	Vikas J. Patel, et al., "Schedule-dependent Activity of Temozolomide plus CPT-11 against a Human Central Nervous System Tumor-derived Xenograft", 2000, Clinical Cancer Research, Vol. 6, pgs. 4154-4157				
	AU	Peter J. Houghton, et al., "Antitumor Activity of Temozolomide Combined with Irinotecan is Partly Independent of O ⁶ -Methylguanine-DNA Methyltransferase and Mismatch Repair Phenotypes in Xenograft Models", 2000, Clinical Cancer Research, Vol. 6, pgs. 4110-4118				
EXAMINER		DATE CONSIDERED				
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.						